

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

v.

(1) PHILIP TAYLOR SOBASH,
Defendant

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No. 1:24-MJ-00885-DH

ORDER

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I have considered the evidence and proffers presented during the hearing, the pleadings on file, the recommendation of Pretrial Services, and the four factors set out in the Bail Reform Act, 18 U.S.C. § 3142(g). In light of all of this, I find that the record establishes (1) by a preponderance of the evidence that no combination of conditions will reasonably assure the defendant's presence as required, and (2) by clear and convincing evidence that that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

The reasons for my decision include, in particular:

- the nature and circumstances of the offense charged, here, his serial sexual predation and exploitation of countless victims, including multiple minors;
- the weight of the evidence against the person, including financial records, electronic communications and files seized demonstrating his solicitation of child pornography directly from his victims, his payments to these victims, his sale of the child pornography he obtained by these means, and his threats to expose them if they did not provide him with more sexually explicit videos and pictures;

- the history and characteristics of the person, including his lengthy history of engaging in the same sort of conduct giving rise to these charges;
- the nature and seriousness of the danger to any person or the community that would be posed by the person's release as demonstrated by all of the above and as set out in the Government's memorandum in support of its motion to detain, Dkt. 4; and
- finally, the operation of the presumption in 18 U.S.C. § 3142(e)(3)(E) that detention is needed because the crime charged is "an offense involving a minor victim under [18 U.S.C.] section[s] 2251, ... 2252A(a)(2), [and] 2422" (which, even when rebutted, remains as a factor for the Court's consideration).

This record establishes (1) by a preponderance of the evidence that no combination of conditions will reasonably assure the defendant's presence as required, (2) by clear and convincing evidence that that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

DIRECTIONS REGARDING DETENTION

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED December 18, 2024.

A handwritten signature in blue ink, appearing to read 'Dustin M. Howell', is written over a horizontal line.

DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE